



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

SEP 9 1999

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

MEMORANDUM

SUBJECT: National Remedy Review Board Recommendations on the Revised Proposal for the Sheboygan River Superfund Site

FROM: Bruce K. Means, Chair
National Remedy Review Board

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TO: William E. Muno, Director
Superfund Division
EPA Region 5

Purpose

The National Remedy Review Board (NRRB) has completed its review of Region 5's revision of its proposal for remedial action at the Sheboygan River Superfund Site in Sheboygan, Wisconsin. This memorandum documents the NRRB's advisory recommendations.

Context for NRRB Review

As you recall, the Administrator announced the NRRB as one of the October 1995 Superfund Administrative Reforms to help control response costs and promote consistent and cost-effective decisions. The NRRB furthers these goals by providing a cross-regional, management-level, "real time" review of high cost proposed response actions. The board reviews all proposed cleanup actions that exceed its established cost-based review criteria.

The NRRB review evaluates the proposed actions for consistency with the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) and relevant Superfund policy and guidance. It focuses on the nature and complexity of the site; health and environmental risks; the range of alternatives that address site risks; the quality and reasonableness of the cost estimates for alternatives; regional, state/tribal, and other stakeholder opinions on the proposed actions, and any other relevant factors.

Generally, the NRRB makes "advisory recommendations" to the appropriate regional decision maker before the region issues the proposed response action for public comment. The region will then include these recommendations in the Administrative Record for the site. While the region is expected to give the board's recommendations substantial weight, other important

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factors, such as subsequent public comment or technical analyses of response options, may influence the final regional decision. It is important to remember that the NRRB does not change the Agency's current delegations or alter in any way the public's role in site decisions.

NRRB Advisory Recommendations

The NRRB reviewed the informational package for the revision to the remedial action proposed for the inner harbor of the Sheboygan River Superfund Site. The board discussed the proposal with EPA project manager Thomas Short on July 28, 1999. Based on this review and discussion, the NRRB offers the following comments.

- In this revised proposed cleanup plan for the inner harbor river segment, the region indicates that future use of the waterway (e.g., from keel grounding and/or "prop wash") will significantly disturb contaminated sediments. The region believes that these disturbances will prevent this area from achieving the target sediment weighted average concentration of 1.0 ppm PCBs, and thus will result in unacceptable risks to health and the environment.
- However, in presenting its proposal to the board, the region the region did not present data or analyses that show how the sediment disturbances would result in unacceptable risks. The board recommends that the region conduct such analyses and/or present this information in the proposed plan and record of decision for this cleanup action. If the risks are unacceptable, the region should better explain how (and over what periods of time) the various alternatives address these risks. In particular, the region should describe how the preferred alternative (dredging a deep channel from the harbor to the bridge in zones A, B, C, and D, but taking no action near shore) adequately reduces risk from keel grounding.
- Because boat traffic in the inner harbor river segment could redistribute contaminated sediment, the region proposes to dredge a narrow channel and use institutional controls to prevent boaters from disturbing sediment in other parts of the river. The board appreciates the region's goal of designing the cleanup plan to permit full use of the river by all boat traffic. However, the board recommends that the region also consider alternatives that provide greater reliability over time and that require less care to maintain. For example, the region might consider shallower, but shore-to-shore dredging in all (or selected) areas to permit full use of the river by the vast majority of boaters. Such alternatives would eliminate the need for future precision re-dredging of the channel (for navigational purposes) and eliminate the need for institutional controls beyond the narrow channel. Further, such alternatives may result in significant cost savings when compared to the proposed remedy. In addition, the region should consider an alternative that focuses on "hot spot only" removal, which may also reduce the overall contaminant remobilization predicted to occur from future navigational dredging actions.

The NRRB appreciates the region's efforts to work closely with the state, the PRP and community groups at this site. The board members also express their appreciation to the region for its participation in the review process. We encourage Region 5 management and staff to work with their regional NRRB representative and the Region 5/7 Accelerated Response Center

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in the Office of Emergency and Remedial Response to discuss any appropriate follow-up actions.

Please do not hesitate to give me a call if you have any questions at 703-603-8815.

cc: S. Luftig
T. Fields
B. Breen
J. Woolford
C. Hooks
R. Hall
OERR Regional Center Directors

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